

Application No: 07/00393/FULL

Received: 27.03.2007



BASILDON DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING 1990

Town and Country Planning (General Development Procedure) Order 1995

Please see notes at end of this letter

To: Grattan Puxon/Donald Kenrick For: Dale Farm Housing
1 John Harper Street Association
Colchester C/o Agent
Essex
CO1 1RP

In pursuance of the powers exercised by them as local planning authority this Council, having considered your application to carry out the following development:-

Change in use of the land to a residential gypsy caravan site consisting of 5 pitches each containing 1 static caravan and 1 touring caravan and associated infrastructure

On land at

**Land North Of
Terminus Drive
Pitsea
Basildon
Essex**

In accordance with the plan(s) accompanying the said application, the Council do hereby give notice of their decision to **REFUSE PERMISSION** for the said development for the reasons set out overleaf:-

Planning Services, Basildon Centre, St. Martin's Square, Basildon, Essex SS14 1DL

Dated: 19.07.2007

A handwritten signature in black ink, appearing to read 'C.D. Simpson'.

Clive Simpson
Manager of Planning Services

- 1 The application site is located within an area allocated for employment as shown on the Proposals Map attached to the adopted Basildon District Local Plan. The proposal is contrary to Policy BAS E2 of the Local plan and saved policy BAS E3 of the Redeposit Replacement Local Plan. The proposal would sterilise the land and preclude it from being developed for its designated purpose. The material circumstances advanced do not justify an exception to this policy.
- 2 The proposal is contrary to Policy S7 of the Basildon District Local Plan and saved policy H5 of the Re-deposit Replacement Basildon Local Plan in that the land is designated for employment purposes in the Local Plan, it does not have convenient or safe access onto the public highway and has more than a minimum impact on the surrounding area, in particular the residential dwellings to the north of the application site.
- 3 The application has been submitted prematurely ahead of the Council's preparation of its Gypsy and Traveller Development plan Document, which is not due to be issued until the recommendations emerging from the Single Issue Review of the Regional Spatial Strategy are known.
- 4 The development, if permitted, would give rise to increased traffic movements along the already heavily trafficked Pitsea Hall lane to the detriment of highway safety. It would furthermore be detrimental to the safety of pedestrians using footpath 136 over which vehicles would need to pass to gain access. It is also contrary to policies T1 and T2 of the Essex and Southend-On-Sea Structure in that the site has limited access and is not sustainable.
- 5 Temporary planning permission could not be granted, as the planning circumstances are unlikely to change at the end of any temporary period. Furthermore the imposition of conditions requiring the carrying out of investigative works prior to the occupation of the land, would preclude the grant of temporary permission in this instance.

Planning Services, Basildon Centre, St. Martin's Square, Basildon, Essex SS14 1DL

Dated: 19.07.2007



Clive Simpson
Manager of Planning Services

NOTES

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and the Regions in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Room 308A Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN). The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the order. He does not in practice refuse to entertain appeals solely because the decision of the local authority was based on a direction given by him.
- (2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State, or the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated, as the case may be a Purchase Notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

BASILDON DISTRICT COUNCIL
APPLICATION FOR PERMISSION TO DEVELOP LAND ETC.

Town and Country Planning Act 1990

Five completed copies of this form and plans must be submitted to the
BASILDON DISTRICT COUNCIL, The Basildon Centre, St Martin's Square, Basildon SS14 1DL

07100393 / fmm

For Office Use only

Ref.

Date received

Fee Paid £

Exempt category

Initials

PART 1 - to be completed by or on behalf of all applicants as far as applicable to the particular development

1. Applicant (in block capitals)

Name DALE FARM HOUSING ASSOCIATION

Address no given

Tel. No. Postcode

Email

Agent (if any) to whom correspondence should be sent
(in block capitals)

Name CRAIGAN DUXON / DONALD KEMRICK

Address 1 JOHN HARPER ST

CULCHESTER

Tel. No. 01206 523528 Postcode GL1 1RP

Email

2. Particulars of proposal for which permission or approval is sought

(a) Full address or location of the land to which this application relates
(Edged in red on accompanying plan).

LAND OFF TERMINUS DRIVE

PLITSEA

ESSEX

(b) State site area or dimensions
(reference to plans is not sufficient)

Width:

Depth:

Area:

0.04h

(c) Brief particulars of proposed development including the purpose(s) for which the land and/or buildings are to be used

CARAVAN SITE FOR 5/10 COUNCIL FAMILIES.
CHANGE OF USE STATIONING OF 5 MOBILE
HOMES, FIVE TOURING CARAVANS CESSPOOL.

(d) State whether applicant owns or controls any adjoining land and if so, show location (edged in blue) on site plan

NO

(e) State whether the proposal involves:

New buildings

Alteration or extension of

Change of use of land or building(s)

Construction of a new) vehicular

access to a highway) pedestrian

Alteration of an existing) vehicular

access to a highway) pedestrian

A public right of way

Number of residential) demolition

units lost by) change of use

State
Yes or No

(i) NO

(ii) NO

(iii) YES

(iv) NO

(v) NO

(vi) NO

(vii) NONE

If residential development, state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats

If yes, point of access must be indicated on submitted plans

REFUSED

SENT (PLANNING)
19 APR 2007
RECEIVED

3. Particulars of Application

State whether application is for:

(i) (a) Outline planning permission

State
Yes or No

NO

(b) Is the drawing submitted for indicative purposes only

✓

If yes, state those matters to which this application relates (tick where appropriate)

(i) Layout of the site

(ii) Number and siting of buildings

(iii) Design and external appearance of building

(iv) The means of access

(v) Landscaping of the site

(ii) Full planning permission

YES

(iii) Approval of reserved matters following the grant of outline permission

NO

If Yes, state the date and number of outline permission

Date:

Number:

(iv) Renewal of a temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted

NO

If Yes, state the date of previous permission and identify the particular condition

Date:

Number:

Condition

27 MAR 2007

4. Particulars of Present and Previous Use of Buildings or Land State

(i) Present use of building/land

(i) vacant

(ii) If vacant, the last previous use and date that use ceased (ii) (?) some military use we believe 1945.

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IMPORTANT - ALL QUESTIONS MUST BE ANSWERED

PC1312(Rev.7)/5000/6.5.97 ILD.10a

07100393/rw

E. Additional Information

State
Yes or No

- (a) Is this application for Industrial, Office, Warehousing, Storage or Shopping purposes

NO

IF YES, PART 2 OF THIS FORM
must be completed
(available on request)

- (b) Does site contain any trees (or along its boundaries)?

State
Yes or No NO

If yes, indicate positions on plan.

- (c) Does the proposed development affect a building included in a List of Buildings of Special Architectural or Historic Interest compiled under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990?

State
Yes or No NO

REFUSED

- (d) (i) How will surface water be disposed of?

(i) natural drainage

- (ii) How will foul sewage be dealt with?

(ii) cess pit

6. Additional Information may be submitted in writing separately

7. Plans

List of drawings and plans submitted with the application.

Note: The proposed means of enclosure, the materials and colour of the walls and roof, landscaping details etc. should be clearly shown on the submitted plans, unless the application is in outline only.

Applications will not be accepted unless supported by 5 copies (7 for a joint Planning & Building Regulation Application) of Building Plans, minimum scale 1:100; Block or Site Plans, scale 1:500; and Location Plans, scale 1:2500, or 1:1250 outlined as required by question 2.

8. Certificates of Ownership - S.66 TCPA 1990. Delete Certificate A or B as appropriate. Certificate C or D available on request if neither applies.

(a) CERTIFICATE A

I hereby certify that:

No person other than the applicant was an owner of any part of the land to which the application relates at the beginning of the period of 21 days before the date of the accompanying application.

None of the land to which the application relates constitutes or forms part of an agricultural holding.

OR (b) CERTIFICATE B

I hereby certify that:

The requisite Notice No. 1 has been given to the owner(s) of the land to which the application relates at the beginning of the period of 21 days before the date of accompanying application.

Name and address of owner

ENGLISH PARTNERSHIP
110 Puching, English P'ship
SHW 95A N

Date of Service of Notice No. 1

Mar 07.

None of the land to which the application relates constitutes or forms part of an agricultural holding.



Signed:

[Redacted Signature]

Date:

20/3/07

We hereby apply for:

- * (a) planning permission to carry out the development described in this application and the accompanying plans, and in accordance therewith;
- * (b) planning permission to retain buildings or works already constructed or carried out, or a use of land already instituted as described on this application and the accompanying plans.
- * (c) approval of details of such matters as were reserved in the outline permission specified therein and are described in this application and the accompanying plans.
- * Delete whichever is not applicable.



Signed:

[Redacted Signature]

Date:

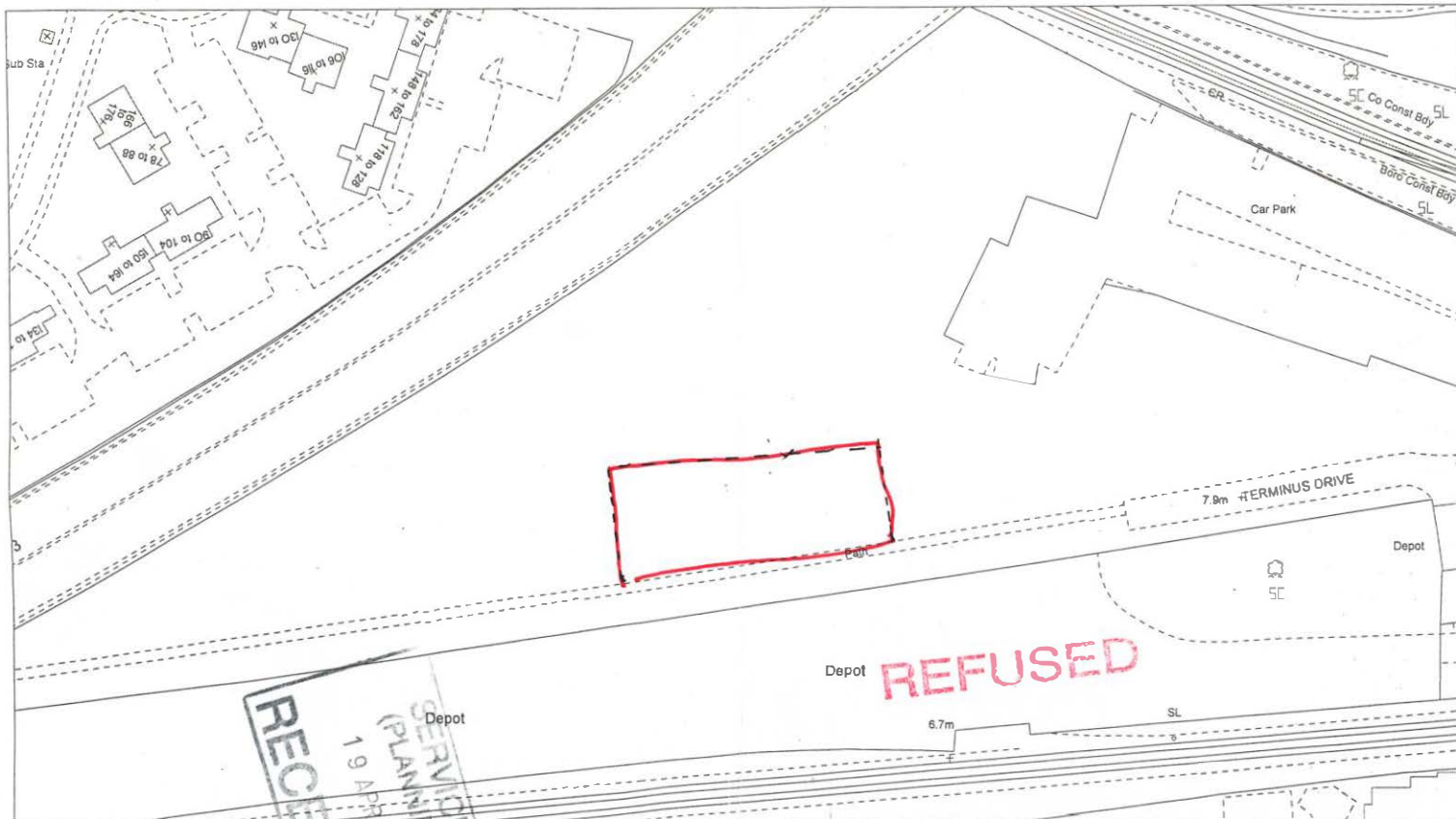
20/3/07

on behalf of Public Housing Association
(Insert applicant's name if signed by an agent)

FAILURE TO SIGN EACH BOX WILL INVALIDATE THIS APPLICATION

PC1312 (Rev.7) 5000/6.5.97 I.D. 10a

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Sterling Court
 Norton Road
 Stevenage
 Herts SG1 2JY
 UK

Tel : +44 (0)1438 747996
 Fax : +44 (0)1438 747997
 E-mail: info@cadcorp.com

cadcorp SIS

**PLANNING
 SERVICES**
 27 MAR 2007
REC

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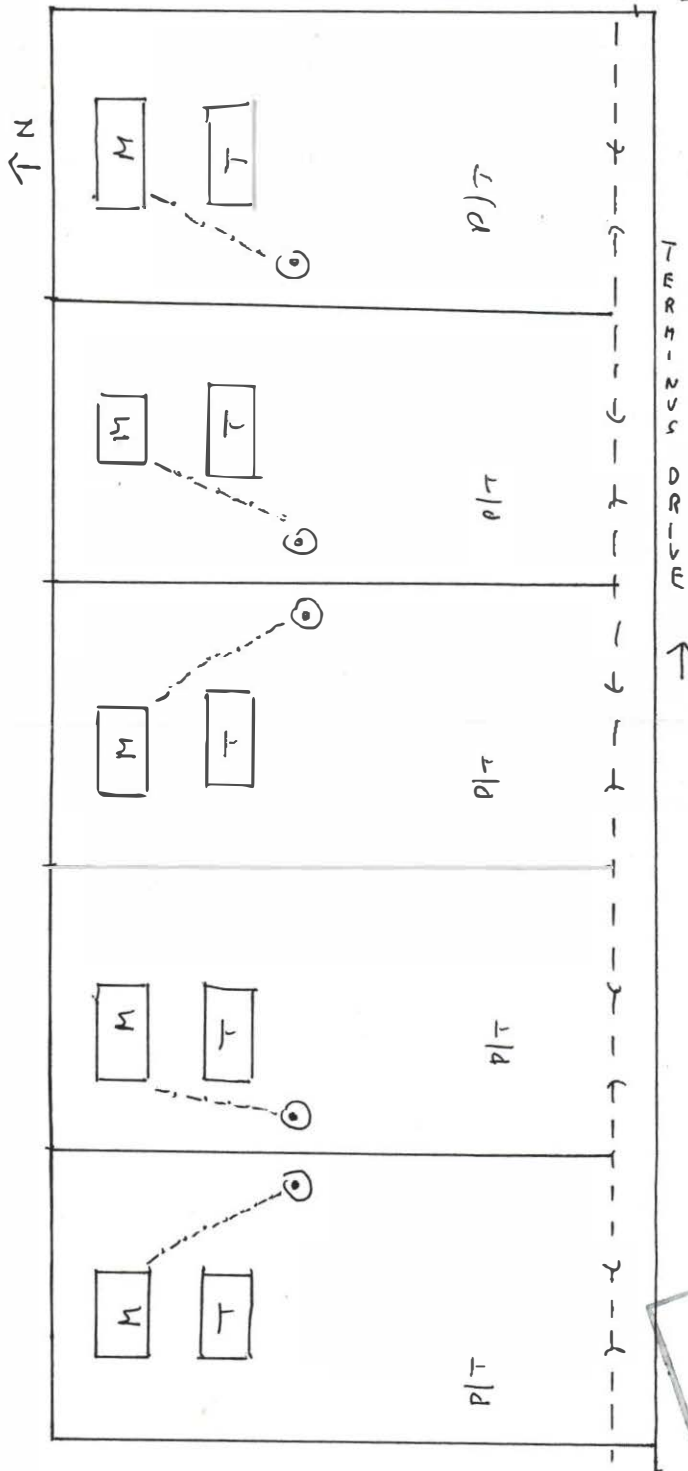
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07/00393 /fum

TERMINUS DRIVE

BLOCK PLAN

1:500.



REFUSED

PLANNING
SERVICES

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KEY: [M] Mobile home
[T] Townhouse
[C] cesspool
P/T Plot/Tenement
--- pipe to cesspool
--- fence/wingate

SERVICES
(PLANNING)
19 APR 2007
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copy to DK 30/7/07

STATEMENT OF INTENT

Whilst Dale Farm Housing Association is currently concerned with appealing the decision of Basildon District Council, dated 17 July 2007, to reject our planning application (No. 07/00393/FULL), we wish it to be known that should the present appeal be successful, we would wish to submit further similar plans in respect of the same location.

In outline our intention is to seek in the future permission for a total of ten units identical to the five-yard unit originally drawn up. This would provide 50 yards/plots at this site.

The reason is that there has now been a radical change in the circumstance of all the families presently occupying unauthorised yards/plots at Dale Farm. Firstly, the council has indicated that in their opinion any fresh planning appeals have little chance of success and, secondly, the council has itself rejected a Joint Homeless Application made on behalf of residents.

In these circumstances, the Dale Farm Housing Association feels that their only course is to seek to establish at Terminus Drive, Pitsea, an eventual alternative for all families facing eviction from Dale Farm.

This change in aim is in accordance with the strong wishes of Dale Farm families, all of whom are related by blood and/or marriage, to stay together as a tight-knit and self-supporting community, which has been their intention since commencing to live on their own land at Crays Hill, up to ten years ago.